

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78120 of 2025

Arising Out of PS. Case No.-144 Year-2025 Thana- ISHUPUR BARAHAT District-
Bhagalpur

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Gautam Kumar Yadav @ Gautam Kumar S/o Late Ramkisun Yadav R/o
Village- Pachrukhi, P.S- Ishipur (Barahat), Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ankit Raj, Adv

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Ishipur
(Barahat) P.S. Case No. 144 of 2025, instituted for the offences
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 176.25 liters
of foreign liquor was recovered from the petitioner house.
Petitioner was arrested on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. It is submitted that the recovery is made from the joint house of the petitioner where other family members also reside. The petitioner is in custody since 04.09.2025 and has got two criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ishipur (Barahat) P.S. Case No. 144 of 2025.

(Rudra Prakash Mishra, J)

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